

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
STEADFAST FINANCIAL LP and STEADFAST
CAPITAL MANAGEMENT,
:

Plaintiffs,
:

20-CV-5767 (JMF)
:

-v-
:

ORDER
:

STEADFAST ADVISORY GROUP, LLC,
:

Defendant.
:
-----X

JESSE M. FURMAN, United States District Judge:

Earlier today, the Court received an email, attached as Exhibit A, from Mr. Pier-Luca Bruno, a principal of Defendant Steadfast Advisory Group, LLC. As a courtesy, in light of the email, Defendant's deadline to file an opposition to the motion for default judgment is hereby **EXTENDED to October 26, 2020**. Should Defendant file an answer to the complaint by that date, the parties shall — per the Court's prior Order — treat the proceedings on November 5, 2020 at 3:15 p.m. as the initial pretrial conference. That is, the parties shall follow the preconference procedures specified in the Court's Order of July 27, 2020 including by submitting a joint letter addressing certain topics and a proposed case management plan no later than the Thursday prior to the conference. *See* ECF No. 9.

Defendant is cautioned that a limited liability company may appear in federal court only through licensed counsel, *see Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007), and where a limited liability company "repeatedly fails to appear by counsel, a default judgment may be entered against it," *Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006) (internal quotation marks omitted). Defendant is further cautioned that all filings with the Court must be made on the ECF system through counsel.

Plaintiffs are directed to confer with Mr. Bruno with respect to whether a referral to mediation — in advance of the proceedings on November 5, 2020 — would be helpful or appropriate. It is further **ORDERED** that Plaintiffs shall serve a copy of this Order on Mr. Bruno at the email address listed in Exhibit A. Within two business days of service, Plaintiffs must file proof of such service on the docket.

SO ORDERED.

Dated: October 6, 2020
New York, New York



JESSE M. FURMAN
United States District Judge

EXHIBIT A

From: [Pier Bruno](#)
To: [Furman NYSD Chambers](#)
Subject: FW: Motion for Default Judgment
Date: Tuesday, October 6, 2020 11:57:55 AM
Attachments: [Dkt. 16 - 2020-10-5 - Notice of Motion \(DJ\).pdf](#)
[Dkt. 17 - 2020-10-05 - \[PROPOSED\] FINAL DEFAULT JUDGMENT - STEADFAST.pdf](#)
[Dkt. 18 - L. Pearson Declaration - ISO DJ.pdf](#)
[Dkt. 18-1 - Exhibit A - Complaint - \(L. Pearson Declaration\).pdf](#)
[Dkt. 18-2 - Exhibit B - Affidavit of Service - \(L. Pearson Declaration\).pdf](#)
[Dkt. 18-3 - Exhibit C - Certificate of Service of Order Scheduling Default Judgment - \(L. Pearson Declaration\).pdf](#)
[Dkt. 18-4 - Exhibit D - Certificate of Default - \(L. Pearson Declaration\).pdf](#)
[Dkt. 19 - 2020-10-05 - FINAL Satterthwaite Declaration-3.pdf](#)
[Dkt. 19-1 - Exh 1.pdf](#)
[Dkt. 19-2 - Exh 2.pdf](#)
[Dkt. 19-3 - Exh 3 Emails P Bruno oct-april.pdf](#)
[Dkt. 19-4 - Exh 4 Kohrs Bruno emails.pdf](#)
[Dkt. 19-5 - Exh 5.pdf](#)
[Dkt. 19-6 - Exh 6 August 3 emails.pdf](#)
[Dkt. 19-7 - Exh 7.pdf](#)
[Dkt. 19-8 - Exh 8 emails with Bruno in September.pdf](#)
[Dkt. 20 - T. Fortin Declaration- FINAL.pdf](#)
[Dkt. 20-1 - Fortin Exh 1-1.pdf](#)
[Dkt. 20-2 - Fortin Exh 1-2.pdf](#)
[Dkt. 20-3 - Fortin Exh 2-1.pdf](#)
[Dkt. 20-4 - Fortin Exh 2-2 Steadfast Financial LP Website.pdf](#)
[Dkt. 20-5 - Fortin Exh 2-2.pdf](#)
[Dkt. 20-6 - Fortin Exh 2-3.pdf](#)
[Dkt. 20-7 - Fortin Exh 2-4.pdf](#)
[Dkt. 20-8 - Fortin Exh 2-5.pdf](#)
[Dkt. 20-9 - Fortin Exh 3.pdf](#)
[Dkt. 21 - 2020-10-5 - FINAL Memo iso Motion for Default Judgment.PDF](#)
[USPS.com® - USPS Tracking® Results #9214896900597932533699.pdf](#)
[AOS \(Steadfast Advisory Group, LLC\).pdf](#)
[Re Steadfast Advisory Group.msg](#)
[RE Complaint - Steadfast Advisory Group .msg](#)

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

Honorable Jesse M. Furman,

When your schedule permits, I would like to schedule a call for us to discuss the attached motion as it pertains to default judgment.

In light of the hardships that my business has faced as it pertains to COVID, I do not have the resources to hire proper counsel to appropriately respond to the subject complaint. I have attached the USPS tracking receipt provided to me by the State of New York – Department of State evidencing the failure of service of the subject complaint (Attached AOS and USPS.com – USPS Tracking). You will notice that the service was made on August 10, 2020, but wasn't mailed out until August 21, 2020, and ultimately was returned to sender on September 1, 2020. I was not aware of the service attempt until Attorney Satterthwaite sent me an email on September 2, 2020 (attached RE: Complaint – Steadfast Advisory Group).

I have made several reasonable attempts to settle this matter with the Plaintiff on my own (attached email RE: Steadfast Advisory Group), however will now have to find counsel which I cannot afford, and will likely put us out of business.

While I don't agree with the confusion aspect of the claim; Steadfast Financial is a hedge fund and

Steadfast Advisory Group is a commercial lending advisor, and since the USPTO did not cite the Plaintiff as an issue with its response to my trademark application, my intention is to address this issue by changing our name and turning over our URL. I will never use Steadfast in any business name going forward, but the courts will not allow me to represent this information on my own and without expensive counsel.

While proper service is not necessarily an issue because I intend to deal with this matter as I have been, the motion for default is unfair and inaccurate. I need more time to properly address this claim and find the money to hire proper representation.

Perhaps we can discuss at your convenience.

Respectfully,
Pier-Luca Bruno

Pier Bruno
(617) 308-7554
Steadfast Advisory Group
pbruno@steadfastag.com
www.steadfastag.com

From: Janet Satterthwaite <jsatterthwaite@potomaclaw.com>
Sent: Tuesday, October 6, 2020 11:18 AM
To: Pier Bruno <pbruno@steadfastag.com>
Cc: Pearson, Lisa <lpearson@kilpatricktownsend.com>; Elissa Brockbank Reese <ereese@potomaclaw.com>
Subject: Fw: Motion for Default Judgment

Pier,

Enclosed is a courtesy copy of our Notice of Motion for Default judgment; Memorandum of Law in support; declarations in support, and exhibits, as filed yesterday with the Court.

Janet

Janet F. Satterthwaite | Partner/ Chair, Trademark Practice | Potomac Law Group, PLLC
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